

## Sydney hair salon allegedly underpaid young apprentice more than \$14,000

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A hair salon owner will face court after allegedly underpaying a teenage apprentice in her first job more than \$14,000.

The Fair Work Ombudsman has commenced litigation in the Federal Circuit Court against Jakoub Abboud and his company Hair-Rass Me Pty Ltd, which formerly operated a salon of the same name at the Westfield Penrith shopping centre, on High Street.

Hair-Rass Me allegedly underpaid the employee \$14,507 between July 2015 and July 2016, when she was aged between 15 and 17.

It is alleged that the apprentice generally worked 50-hour weeks but was paid weekly amounts that were not sufficient to cover all of her entitlements under the Hair and Beauty Industry Award 2010.

For example, it is alleged that in one week, the apprentice was paid \$300 despite being entitled to \$653.90.

Most of the alleged underpayment relates to overtime entitlements.

The Fair Work Ombudsman alleges the company also failed to correctly pay minimum apprentice rates for ordinary hours, penalty rates for weekends and public holidays and annual leave entitlements.

It is alleged that Hair-Rass Me also failed to pay any superannuation for the apprentice and failed to reimburse her the cost of a training course, as required under the Award.

Pay slip laws were also allegedly breached – and it is alleged that Mr Abboud and his company also breached workplace laws during the Fair Work Ombudsman's investigation by failing to comply with a Notice to Produce employment records.

Fair Work Ombudsman Natalie James says the involvement of a vulnerable young worker and the failure to rectify the matter were key factors in the decision to commence legal action.

"We treat alleged underpayment of young workers particularly seriously because we are aware they can be vulnerable, particularly in the early years of employment, as they are often unaware of their rights, heavily reliant on their employers and reluctant to complain," Ms James said.

"We are especially concerned in matters where, as we allege in this case, parties fail to comply with our formal requests for documents we see as being material to getting to the bottom of what's occurred."

The Fair Work Ombudsman has previously dealt with Mr Abboud and will allege that he was aware of the lawful obligation to pay minimum Award entitlements.

Hair-Rass Me Pty Ltd faces penalties of up to \$63,000 per contravention and Mr Abboud of up to \$12,600 per contravention.

The Fair Work Ombudsman is also seeking orders for Hair-Rass Me and Mr Abboud to back-pay the alleged underpayments with interest, and pay the superannuation allegedly owed.

The matter is listed for a directions hearing in the Federal Circuit Court in Sydney on August 2.

Employers and employees can seek assistance at [www.fairwork.gov.au](http://www.fairwork.gov.au) or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50 and information on the website is translated into 40 languages.

Online resources available include guides to assist apprentices and their employers to understand their rights and obligations. They can be accessed at the Fair Work Ombudsman's [Apprentice entitlements \(www.fairwork.gov.au/find-help-for/apprentices-and-trainees/apprentice-entitlements\)](http://www.fairwork.gov.au/find-help-for/apprentices-and-trainees/apprentice-entitlements) and [Hiring employees \(www.fairwork.gov.au/find-help-for/small-business/hiring-employees\)](http://www.fairwork.gov.au/find-help-for/small-business/hiring-employees) pages.

The Fair Work Ombudsman's ['Record My Hours' smartphone app \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app) is aimed at tackling the persistent problem of underpayment of vulnerable young workers by using geofencing technology to provide workers with a record of the time they spend at their workplace. The app can be downloaded from the App Store and Google Play.

Resources aimed at better equipping young workers and apprentices to stand up for their rights in the workplace were released last

year through a partnership between the Fair Work Ombudsman and the Foundation for Young Australians.

The videos available on the [Fair Work Ombudsman's YouTube channel](https://www.youtube.com/user/FairWorkGovAu) [☞](https://www.youtube.com/user/FairWorkGovAu) (<https://www.youtube.com/user/FairWorkGovAu>) address issues commonly experienced by young workers and provide tips for dealing with workplace concerns.

The Fair Work Ombudsman's popular [Anonymous Report function](https://www.fairwork.gov.au/about-us/news-and-media-releases/2017-media-releases/july-2017/20170731-migrant-worker-anon-report-tool) (<https://www.fairwork.gov.au/about-us/news-and-media-releases/2017-media-releases/july-2017/20170731-migrant-worker-anon-report-tool>) is also available.

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Media inquiries:

Matthew Raggatt, Senior Media Adviser

Mobile: 0466 470 507

[matthew.raggatt@fwo.gov.au](mailto:matthew.raggatt@fwo.gov.au) (<mailto:matthew.raggatt@fwo.gov.au>)

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Fair Work Online: [www.fairwork.gov.au](http://www.fairwork.gov.au)

Fair Work Infoline: 13 13 94

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For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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